



Steven L. Beshear
Governor

Robert D. Vance, Secretary
Environmental and Public
Protection Cabinet

Larry R. Bond
Commissioner
Department of Public Protection

Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
Fax: (502) 564-3460
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Mark David Goss
Chairman

John W. Clay
Vice Chairman

Caroline Pitt Clark
Commissioner

Honorable Robert C. Moore
Attorney At Law
Hazelrigg & Cox, LLP
415 West Main Street
P.O. Box 676
Frankfort, KY 40602

April 2, 2008

RE: Case No. 2008-00040

Please see enclosed data request from Commission Staff in the above case.

If you need further assistance, please contact my staff at (502) 564-3940.

Sincerely,

A handwritten signature in cursive script that reads "Stephanie Stumbo".

Stephanie Stumbo
Executive Director

SS/rs
Enclosure



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Ronald J. Osborne
Secretary
R. A. Williams Development Co., Inc. d/b/a Cedarbrook Treatment Plant
Suite 1A
153 Prosperous Place
Lexington, KY 40509

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Lawrence Smither
Member
Cedarbrook Utilities, LLC
1706 Bardstown Road
Louisville, KY 40205

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Honorable David Edward Spenard
Assistant Attorney General
Office of the Attorney General Utility & Rate Intervention Division
1024 Capital Center Drive
Suite 200
Frankfort, KY 40601-8204

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COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

JOINT APPLICATION OF R.A. WILLIAMS)	
CONSTRUCTION COMPANY, INC. AND)	
CEDARBROOK UTILITIES, LLC FOR APPROVAL)	CASE NO.
OF THE TRANSFER OF WASTEWATER)	2008-00040
TREATMENT PLANT TO CEDARBROOK,)	
UTILITIES, LLC)	

COMMISSION STAFF'S SECOND DATA REQUEST TO PETITIONERS

R. A. Williams Construction Company ("R. A. Williams") and Cedarbrook Utilities, LLC ("Cedarbrook") (jointly "Petitioners"), pursuant to 807 KAR 5:001, are to file with the Commission the original and 6 copies of the following information, with a copy to all parties of record. The information requested herein is due on or before April 11, 2008. Responses to requests for information shall be appropriately bound, tabbed and indexed. Each response shall include the name of the witness responsible for responding to the questions related to the information provided.

Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

Petitioners shall make timely amendment to any prior responses if either obtains information which indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect. For any requests to which Petitioners fail or refuse to furnish all or part of the requested information, Petitioners shall provide a written explanation of the specific grounds for their failure to completely and precisely respond.

Careful attention should be given to copied material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request. When applicable, the requested information shall be separately provided for total company operations and jurisdictional operations.

1. Refer to the Petitioners' Response to Item 3 of Commission Staff's First Data Request.

a. In its Agreed Order, the Environmental and Public Protection Cabinet ("EPPC") acknowledged that Petitioners filed with the Commission an application for approval of the proposed transfer of R.A. Williams to Cedarbrook. Explain in detail how the EPPC's acknowledgement of filing of the transfer application with the Commission can be construed as confirming that the proposed transfer of R. A. Williams to Cedarbrook is in the public interest.

b. In its Agreed Order, the EPPC states that "If the Public Service Commission does not approve the sale to Cedarbrook Utilities, LLC, then R. A. Williams shall submit a new application to approve the sale of the facility to the Public Service Commission within one hundred twenty (120) days of that commission's disapproval." If

the Commission denies Petitioners' request, provide R. A. Williams' contingency plan regarding the filing of a new application with the Commission within 120 days of the denial.

c. Petitioners state that "R.A. Williams has been working diligently since 1996 to identify a technically qualified entity to which the Cedarbrook WWTP can be transferred, and Cedarbrook is the only technically qualified entity willing to take ownership of the subject WWTP." Provide a narrative describing the diligent process R. A. Williams used to identify a technically qualified entity. Provide a list of the entities R. A. Williams contacted, copies of all correspondence, and copies of all workpapers related to the diligent attempts to identify a technically qualified entity.

2. Refer to Petitioners' Response to Item 4 of Commission Staff's First Data Request. For each violation that was cited by the Division of Water, provide copies of any correspondence between R. A. Williams and Covered Bridge Utilities, LLC, describing the Division of Water finding and any recommendation regarding the action that R. A. Williams should take to rectify the violation. For each recommendation explain if it was accepted by R. A. Williams.

3. Refer to Petitioners' Response to Item 8 of Commission Staff's First Data Request. Provide documentation to show that Cedarbrook, or its owners, currently possess the financial ability to operate R. A. Williams' wastewater treatment facility.

4. Refer to Petitioners' Response to Item 10 of Commission Staff's First Data Request. Provide the expected cost of each item listed in the response.

5. Refer to Petitioners' Response to Item 11(a) of Commission Staff's First Data Request.

a. Describe the financing alternatives that will be considered by Cedarbrook to fund the correction of the infiltration problem.

b. The Acquisition Agreement requires R. A. Williams to pay to Covered Bridge Utilities, Inc. \$2,500 in legal fees for the filing of the application and \$5,500 for management services. Explain why Cedarbrook also identified these costs in its response to the uses of the \$22,000 payment.



Stephanie Stumbo
Executive Director
Public Service Commission
P.O. Box 615
Frankfort, Kentucky 40602

Dated: April 2, 2008

cc: Parties of Record